

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

THOMAS WAYNE EVENSTAD,

Civil No. 17-4067 (JRT/DTS)

Plaintiff,

v.

ORDER

CITY OF WEST SAINT PAUL, et al,

Defendants.

Peter J. Nickitas, 431 South Seventh Street, Suite 2446, Minneapolis, MN 55415, for plaintiff.

Clifford M. Greene, **GREENE ESPEL PLLP**, 222 South Ninth Street, Suite 2200, Minneapolis, MN 55402, for defendants.

A Report and Recommendation was filed by Magistrate Judge David T. Schultz on September 21, 2017. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that defendants David Meisinger, John Bellows, Anthony Fernandez, Ed Lago, Dave Napier, Bob Pace, Dick Vitelli and Chantel Doriott are **DISMISSED WITHOUT PREJUDICE** from this litigation pursuant to 28 U.S.C. § 1915(e)(2)(B).

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: October 10, 2017
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
Chief Judge
United States District Court